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Secretary for
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California Regional Water Quality Control Board
North Coast Region
John W. Corbett, Chairman

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Arnold Schwarzenegger
Governor

February 16, 2007

Mr. David Hull
Humboldt Bay Harbor, Recreation and Conservation District
601 Startare Drive
Eureka, CA 95501

Mr. Mike Knight
City of Eureka
531 K Street
Eureka, CA 95501

Gentlemen:

Subject: Amendment to the Clean Water Act Section 401 Certification (Water Quality Certification) for the Woodley Island Marina and City of Eureka Waterfront Maintenance Dredging

File: Woodley Island Marina and City of Eureka Waterfront Maintenance Dredging (WDID No. 1A04140WNHU)

On January 16, 2007, we received a letter from Mr. Yoash Tilles of Pacific Affiliates, representing the City of Eureka and Humboldt Bay Harbor, Recreation and Conservation District for the cooperative maintenance dredging project. Mr. Tilles' letter requests an amendment to Additional Condition 11 of the Water Quality Certification to remove the requirement to take aerial photos approximately mid way through the project. Additional Condition 11 requires that aerial photos of the surf zone disposal location and the shoreline from the mouth of the Eel River to the mouth of the Mad River be taken prior to discharge, within two weeks after discharge begins, approximately mid way through the project, and within two weeks after the discharge ends. Mr. Tilles requested the amendment because any aerial photos taken mid way through the project are not likely to show any significant differences from the aerial photos that were taken on November 14, 2006, because discharge conditions and ocean conditions would be similar.

Regional Water Board staff have reviewed the aerial photos submitted on November 30, 2006, including photos taken on October 9, 2006, prior to commencement of the discharge, and photos taken on November 14, 2006, approximately one week following

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commencement of dredging and disposal activities. Regional Water Board staff have also reviewed the additional land based photos that were taken between November 27, 2006, and December 15, 2006, near the mouth of the Eel River, the mouth of the Mad River, and the shoreline in the beach disposal area. Regional Water Board staff concur that the dredging discharges and ocean conditions have not changed significantly since the discharge began and that the mid project aerial photos are not likely show any differences from the aerial photos that were taken on November 14.

In response to this request, this letter serves as an amendment to Additional Condition 11 of the Clean Water Act Section 401 Certification (Water Quality Certification) for the Woodley Island Marina and City of Eureka Waterfront Maintenance Dredging project as outlined below:

Additional Condition 11: Aerial photos of the surf zone disposal location and the shoreline from the mouth of the Eel River to the mouth of the Mad River shall be taken before, during, and after the project to provide visual evidence of the effects of the discharge and the natural ocean water conditions along the shoreline. Aerial photos of this stretch of shoreline shall be taken within one week prior to discharge, within two weeks after discharge begins, and within two weeks after the discharge ends. A report containing the aerial photos shall be submitted within 30 days of the end of the project.

I hereby issue an amendment to Additional Condition 11 of the Woodley Island Marina and City of Eureka Waterfront Maintenance Dredging Water Quality Certification Order (WDID No. 1A04140WNHU) and certify that the remainder of the Water Quality Certification sections of the Order are still valid. If you have any questions or comments, please contact Dean Prat at (707) 576-2801.

Sincerely,

Catherine E. Kuhlman
Executive Officer

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cc: Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333 Market Street, San Francisco, CA 94599
U.S. Army Corps of Engineers, District Engineer, P.O. Box 4863, Eureka, CA 95502
Mr. Yoash Tilles, Pacific Affiliates, 990 W. Waterfront Drive, Eureka, CA 95501

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